

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KATHY WRIGHT,
Plaintiff,

v.

HEWLETT-PACKARD COMPANY INCOME
PROTECTION PLAN; HEWLETT-PACKARD
COMPANY; VPA, INC.; and DOES 1 through
100, inclusive,
Defendants.

CASE NO. CIV S-03-0084 JAM DAD

JUDGMENT

Courtroom: Judge John A. Mendez

On November 15, 2006, this matter was remanded to Voluntary Plan Administrators, Inc., as the administrator of the Hewlett-Packard Company Disability Plan (the "Plan"), formerly known as the Hewlett-Packard Company Income Protection Plan, for application of the correct definition of "mental illness" under the terms of the Plan. Applying that definition, VPA has determined that Plaintiff Kathy Wright ("Plaintiff") is entitled to be reinstated as a participant under the Plan, to receive past due benefits, and to receive future benefits under the terms and conditions of the Plan.

Based on the foregoing, IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. This matters is remanded to the Plan and its claims administrator, Voluntary Plan Administrators, with instructions to reinstate long term disability benefits in the amount of \$1,258.00 bi-monthly for Plaintiff under the terms of the Plan as it existed on March 31, 2000, said reinstatement to be effective as of March 23, 2000.

2. The Plan shall pay to Plaintiff the gross sum of \$166,056.00, plus interest thereon in the amount of \$19,487.66, for retroactive benefits through and including August 31, 2008, with daily interest thereon in the amount of \$18.20 until paid. Said amount shall be reduced by any taxes required to be withheld by law.

IT IS FURTHER ORDERED AND ADJUDGED, pursuant to the stipulation of the parties, that the Plan must pay to Plaintiff's attorneys, The Employee Rights Law Group, the amount of \$57,000.00, as and for attorneys' fees and costs up to the date of entry of Judgment in this matter.

IT IS FURTHER ORDERED AND ADJUDGED, that upon entry of this Judgment, the Court will continue to retain jurisdiction over this matter and will be the final arbiter of any and all issues that arise in carrying out this Judgment, including but not limited to review of the Plan's future determinations regarding Plaintiff's continuing entitlement to longer term disability benefits under the Plan.

Dated: September 11, 2008

/s/ John A. Mendez
JOHN A. MENDEZ
United States District Judge

Submitted Jointly by:

John F. Mounier, Jr., SBN 48377
THE EMPLOYEE RIGHTS LAW GROUP
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Dated: September 11, 2008

By: /s/ John F. Mounier, Jr.
JOHN F. MOUNIER, JR.
Attorney for Plaintiff
KATHLEEN WRIGHT

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Dated: September 11, 2008

By: /s/ Joseph P. Busch, III
JOSEPH P. BUSCH, III
Attorneys for DEFENDANTS

CERTIFICATE OF SERVICE

I, Nancy G. Commerdinger, declare as follows:

I am employed in the County of Orange. I am over the age of eighteen years and am not a party to this action. My business address is 3161 Michelson Drive, Irvine, CA 92612-4412, in Irvine, CA. On September 11, 2008, I served the:

[PROPOSED] ORDER

by placing a true copy thereof in an envelope addressed to each of the person(s) named below at the address shown:

John F. Mounier, Jr.
The E-Rights Law Group
20 Sunnyside Avenue, Suite A-201
Mill Valley, CA 94941
Telephone: (415) 888-8361
Facsimile: (415) 888-8363

X BY FACSIMILE: From facsimile number (949) 451-4220, I caused each such document to be transmitted by facsimile machine, to the parties and numbers indicated above, pursuant to Rule 2008. The facsimile machine I used complied with Rule 2003(3) and no error was reported by the machine. Pursuant to Rule 2008(e)(4), I caused the machine to print a transmission record of the transmission, a copy of which is attached to the original of this declaration.

I certify under penalty of perjury that the foregoing is true and correct, that the foregoing document(s) were printed on recycled paper, and that this declaration of service was executed by me on September 11, 2008, at Irvine, California.

/s/ Nancy G. Commerdinger
Nancy G. Commerdinger